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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,279	07/02/2001	Wiland Von Wendorff	J&R-0680	2028

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EXAMINER	
KIM, KEVIN	

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/897,279	WENDORFF, WILAND VON	
	Examiner	Art Unit	
	Kevin Y. Kim	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3 and 5-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,5,6,9-11,14* is/are rejected.

7)☒ Claim(s) *7,8,12 and 13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The indicated allowability of claim 3, now as amended claim 1, is withdrawn upon a review of the disclosure.

The subject matter of claim 3, now cancelled, has been found merely describe the characteristics of NRZ coding, XERXES coding and Manchester coding. Since the use of these coding schemes were determined to have been obvious, it follows that the limitation that characterizes the coding schemes should also be found obvious. It is regrettable that a seemingly premature allowability of this feature might have caused inconveniences for applicant.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1,3,9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Messenger et al (US 5,206,881 previously cited) al in view of Dillon et al (US 5,463,646 previously cited).

Claims 1,3 and 11.

Messenger et al disclose a synchronous network (see Fig.1), comprising;

nodes (base stations and polled stations),

a plurality of the nodes generating a synchronization signal, see col. 6, lines 54-56, wherein the duration (i.e., length) of the synchronization signal is greater than a maximum signal transit time (i.e., transmission delay) occurring inside the network.

Note that the transmission delay has a maximum of 0.5 microseconds or 5 chips in one embodiment and the synchronization signal comprises a plurality of bits wherein a bit corresponds to a plurality of chips. Messenger et al disclose all the subject matter claimed except for a specific encoding scheme for the synchronization signal, which has a time profile or a duration such that it can be identified as such even if other synchronization signals by other nodes are overlapping. However, the NRZ coding, XERXES coding and Manchester coding are well known in the art for transmitting digital bits, as evidenced by a patent to Dillon et al (see col. 5, lines 28-29) and thus would have been obvious matter of design choice to one skilled in the art at the time the invention was made, lacking criticality. These known coding schemes produces signals that has a time profile or a duration such that it can be identified as such even if other synchronization signals by other nodes are overlapping, as admitted by applicant at page 24, lines 7-18 of the specification.

Claims 9 and 10.

Fig.1 shows that the sync signal is "in a specific time slot of a time slot cycle used."

Messenger et al disclose all the subject matter claimed except for a specific encoding scheme for the synchronization signal. However, the NRZ coding, XERXES coding and Manchester coding are well known in the art for transmitting digital bits, as evidenced by a patent to Dillon et al (see col. 5, lines 28-29) and thus would have been obvious matter of design choice to one skilled in the art at the time the invention was made, lacking criticality.

4. Claim 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Messenger et al in view of Samoylenko (US 5,576,702 previously cited).

Messenger et al disclose a synchronous network (see Fig.1), comprising;

nodes (base stations and polled stations),

a plurality of the nodes generating a synchronization signal, see col. 6, lines 54-56, wherein the duration (i.e., length) of the synchronization signal is greater than a maximum signal transit time (i.e., transmission delay) occurring inside the network. Note that the transmission delay has a maximum of 0.5 microseconds or 5 chips in one embodiment and the synchronization signal comprises a plurality of bits wherein a bit corresponds to a plurality of chips. Messenger et al disclose all the subject matter claimed except for the node observing for a predetermined time to ensure other nodes are not outputting a synchronization signal.

Samoylenko teaches that each node transmitting a synch signal waits for a predetermined amount of time if another is found as transmitting before outputting its own synch signal. See col. 8, lines 61-65. Thus, it would have been obvious to one skilled in the art at the time the invention was made to make a synch signal wait for a predetermined amount of time if another is found as transmitting before outputting its own synch signal for the purpose of avoiding collision as taught by Samoylenko.

5. Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Samoylenko (US 5,576,702 previously cited) in view of Dillon et al (US 5,463,646 previously cited).

Samoylenko discloses a synchronous network (see Fig.2C), comprising;

nodes transmitting data to one another and outputting a synchronization signal, see col. 8, lines 3-5, and

each node transmitting a synch signal waits for a predetermined amount of time if another is found as transmitting before outputting its own synch signal. See col. 8, lines 61-65.

Samoylenko disclose all the subject matter claimed except for a specific encoding scheme for the synchronization signal, which has a time profile or a duration such that it can be identified as such even if other synchronization signals by other nodes are overlapping. However, the NRZ coding, XERXES coding and Manchester coding are well known in the art for transmitting digital bits, as evidenced by a patent to Dillon et al (see col. 5, lines 28-29) and thus would have been obvious matter of design choice to one skilled in the art at the time the invention was made, lacking criticality. These known coding schemes produces signals that has a time profile or a duration such that it can be identified as such even if other synchronization signals by other nodes are overlapping, as admitted by applicant at page 24, lines 7-18 of the specification.

Allowable Subject Matter

6. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Y. Kim whose telephone number is 571-272-3039. The examiner can normally be reached on 8AM --5PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin Kim

KEVIN KIM
PATENT EXAMINER

May 26, 2006